

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,
PLAINTIFF

v

DOCKET # 01-11099NG

ROBERT MURPHY, et al.,
DEFENDANTS

and

JOEL PENTLARGE, and
EDWARD GIVEN,
PLAINTIFFS

v

DOCKET # 04-30177NE

ROBERT MURPHY, et al.,
DEFENDANTS

PRO SE PLAINTIFF'S MEMORANDUM
IN SUPPORT OF PRO SE PLAINTIFF'S
MOTION FOR STORAGE
PURSUANT TO LOCAL RULE 7.1(B)(1)
FACTUAL BACKGROUND:

- i) The pro se Plaintiff is a

civilly committed citizen of the Commonwealth who is incarcerated at the Nemasket Correctional Center in Bridgewater.

2) That as a civilly committed person he is in the direct custody of the Defendant Robert Murphy who is the Superintendent of the Nemasket Correctional Center.

3) That on or about May 6, 2008 the pro se Plaintiff filed a similar motion entitled "Motion for Storage Space and Daily Access to Storage". (Exhibit #175).

4) That on ~~June 6~~ May 14, 2008 the Department of Correction staff removed all equipment and research/resource material from the "Resource Room" on the B-2

housing unit where the Plaintiff is housed.

5) That on June 6, 2008 Defense Counsel filed the Defendant's Opposition to Plaintiff's motion for Storage and daily access.

6) That on or about June 16, 2008 the pro se Plaintiff filed his ~~is~~ Response to Defendant's Opposition with supporting affidavits.

7) That on June 23, 2008 Justice Dein Denied the Plaintiff's motion without prejudice.

ARGUMENT:

Due to the ever increasing number of documents within this litigation (well over 180 docketed) and the expected total to be much

greater, it will be impossible for the pro se Plaintiff to comply with the Prison Policy (EMPHASIS ADDED) of storing only one (1) cubic foot of legal material within his cell.

Due to the unpredictable staffing of the Property Department at the Nemasket Correctional Center, it is impossible to plan two (2) hours in advance, which makes the two (2) working days policy (see affidavit of Captain Sheila Smith 92) laughable.

The affidavit of Correction Officer Joseph McGreevy (see attached affidavit) is a perfect example of the Defendants and or Defense Counsel trying to mislead this Honorable Court.

On the surface of Mr McGreevy's affidavit it would appear that the Nemasket Correctional Center's property department is always staffed. However, in reality there is very important information that is deliberately being left-

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out:

- a) Mr McSheery does not mention how often he is removed from the property department to be reassigned elsewhere in the facility.
- b) Mr McSheery does not mention how many days the property department was closed for his vacation.
- c) How soon after being assigned as property officer did he actually open to handle the civil residents property issues.

It is also a deliberate act that within the affidavit of Sheila Smith there is no mention of how long of a period of time passed between the prior ~~property~~ property officer being removed and the appointment of ~~the~~ Mr McSheery, nor is it mentioned that this property department was in such disarray that "then" Captain

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Sheila Smith herself delivered property to each unit by pushing a cart.

Once again, as of this date there is not Correction Officer assigned as the Nemasket Correctional Center's property officer, because Mr McGreevy transferred out of that assignment approximately one (1) week after signing the attached affidavit, which was in fact only about twelve (12) weeks after receiving the assignment as property officer.

As of this date, the property department is being staffed by an Inner Perimeter Security officer.

It is because of this ongoing unpredictable/failure to properly staff the property department on a regular basis, ~~causing~~ that the pro se Plaintiff is requesting this storage.

On May 14, 2008 which was approximately one (1) week after the pro se Plaintiff served the May 6th Motion on the Defense Counsel that Department of Correction officers and in particular "then" Captain Sheila Smith, (WHO HAS SINCE BEEN PROMOTED TO DIRECTOR OF SECURITY AT THE NEMANSKET CORRECTIONAL CENTER) directed and personally supervised as all of the equipment, resource/research material were unceremoniously removed from the "Resource Room" and the B-2 housing unit. (see attached copies of thirty-seven (37) affidavits) see attachment #2

Although Defense Counsel waited nearly three (3) weeks after the Department of Correction dismantled the B-2 "Resource Room" before stating the area is not utilized in the manner that the pro se Plaintiff states, the Defendants fail to address the fact that since the

the pro se Plaintiff moved onto the B-2 housing in November 2001 until May 14, 2008 the B-2 "Resource Room" was in fact an area with resource/research material, storage locker, file cabinet and office equipment (TYPEWRITERS AND DESKS) to be utilized by the residents of the housing unit.

This behavior of not being forthcoming with facts is a perfect example of the effort that the Defendants and or their Counsel is willing to put forth in order to mislead/misrepresent facts in hopes of manipulating this Honorable Court.

I, Edward Given, do hereby state that the above facts are true to the best of my personal knowledge.



EDWARD GIVEN, pro se
30 ADMINISTRATION RD
BRIDGEWATER MA 02324

DATE: 7-10-08

ATTACHMET 1

Resource Room PARTIAL INVENTORY

COST
TO
REPLACE

TREATMENT RELATED MATERIAL

BOOKS:

AMERICAN PSYCHOLOGICAL ASSOCIATION HANDBOOK
ASSOCIATION FOR TREATMENT OF SEXUAL ABUSERS;
ETHICS, TREATMENT PROVIDERS

69.95	DIAGNOSTIC and STATISTICAL MANUAL II T R
24.95	FACING THE SHADOWS (SCHWARTZ)
	RELAPSE PREVENTION PLANNING (SAFER SOLIDITY)
500.00	THE SEX OFFENDER VOL 1-4 (SCHWARTZ)
500.00	THE SEXUAL PREDATOR VOL 1-4 (SCHLANK)
	TRANSITION PLANNING (JRI)
	VICTIM EMPATHY VOL 1 & 2
	WHO AM I AND WHY AM I IN TREATMENT

SELF HELP:

ALCOHOLICS ANONYMOUS;
BIG BOOK, 12 STEPS

35.00	COMING HOME RELEASE PLANNING
	EMOTION ANONYMOUS
	HOOVER'S BUSINESS DIRECTORY
	SEX LOVE ADICTION ANONYMOUS
	TEACH YOURSELF TO TYPE
15.99	1000 LETTERS FOR ALL OCCASSIONS (EVERYDAY LETTERS FOR BUSY PEOPLE

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COST
TO
REPLACE

DICTIONARY:

17.95	OXFORD AMERICAN COLLEGE DICTIONARY
13.95	OXFORD SPANISH TO ENGLISH
12.95	ROGETS THESAURUS
	WEBSTER'S ALMINAC

BIBLES:

ENGLISH (KING JAMES)
SPANISH

RECIDIVISM

ABEL SCREEN

HANSON REPORTS 1985, 02, 04

MNSORT (MINNESOTA SEX OFFENDER RECIDIVISM TEST)

STATIC 99 (HANSON)

UNITED STATES JUSTICE DEPARTMENT

LEGAL PUBLICATIONS

69.00	BLACK'S LAW DICTIONARY
29.95	BRIEF WRITING
41.95 EACH	CITE BOOK 16 th , 17 th , 18 th , 19 th & 20 th EDITIONS
29.99	DEPOSITION HANDBOOK

COST
TO
REPLACE

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58.95	MASS RULES OF PROCEDURE CIV + CRIM 2007
58.95	MASS RULES OF FEDERA PROCEDURE CIV + CRIM 2007
349.95	PRISON LITIGATION MANUAL
49.95	THE PRISONER SURVIVAL GUIDE
34.95	HOW TO REPRESENT YOURSELF IN COURT

DEPARTMENT OF CORRECTION POLICY ASSIGNMENTS
103 DOC #'s

100	172	216
101	175	218
102	181	220
103	201	221
104	202	222
105	203	223
108	204	224
111	205	225
112	207	229
122	208	230
132	209	237
133	210	238
139	210A	239
153	211	240
154	213	250
156	214	270
158	215	300

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103 DOC #'s CONT

339	450	620
340	454	630
341	459	631
342	461	640
343	466	650
344	467	660
345	472	661
346	476	662
400	487	700
401	488	703
407	492	730
417	493	740
418	506	755
419	519	756
422	522	757
425	525	758
426	561	759
441	601	760
444	604	762
445	607	763
446	610	

COST
TO
REPLACE

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DEPARTMENT OF CORRECTION POLICY ASSIGNMENTS
103 CMR #'S

131	180	410	423
155	403	420	424
157	405	421	411

4.35	103 CMR 431-464	STATE BOOK STORE
6.15	103 CMR 465-505	" " "
11.35	103 CMR 506-979	" " "

SUPPLIED
BY

EQUIPMENT

FHS	PANASONIC MEMORY TYPEWRITER
DOC	BROTHER TYPEWRITER
FHS	TYPING DESK
DOC	WRITING DESK
FHS	HORIZONTAL FILE CABINET
DOC	METAL FOOTLOCKER

CASE LAW

ANDREWS	v Com	334 NE2d 15
ARMENT	v Com	587 NE2d 223
BAKER	v Com	507 NE2d 694
BARBOZA	v Com	706 NE2d 307
BLASDA	v Com	288 NE2d 813
BLANCHETTE	v Com	806 NE2d 468
BOYD	v Com	199 NE2d 927
BOYD	v Com	326 NE2d 320
BOYER	v Com	792 NE2d 677
BOUCHER	v Com	825 NE2d 543
BRACE	v Com	SLIP
BRADWAY	v Com	820 NE2d 258
BRUDER	v Com	522 NE2d 752
BRUNO	v Com	735 NE2d 1222
BURNHAM	v Com	792 NE2d 987
CALLIGAN	v Com	631 NE2d 314
CALLAHAN	v Com	799 NE2d 133
CAMERON	v TOMES	887 FSUPP 387
CAMERON	v TOMES	900 F2d 14
CARDOZA	v US	129 F3d 6
CHAPMAN	v Com	825 NE2d 508
CHERRY	v AUGER	15 NE2d 203
CLARK	v Com	278 FSUPP 63
CONNERS	v Com	823 NE2d 111
COLIN	v Com	643 NE2d 19
COUGHLIN	v Doc	686 NE2d 1082

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CASE LAW CONT

CRAPPEAU	v	COM	
CRUSBY	v	COM	235 NE2d 361
DAMINO	v	GAUGHAN	592 FSUPP 1222
DURFEE	v	MURPHY	200 NE 395
DUTIL	v	COM	768 NE2d 726
FEGAN	v	COM	387 NE2d 553
FERREIRA	v	COM	852 NE2d 1086
FERREIRA	v	COM	963 FSUPP 1244
GAGNE	v	COM	377 NE2d 919
GAGNE	v	COM	475 NE2d 1243
GAGNON	v	COM	625 NE2d 555
GAGNON	v	COM	681 NE2d 812
GAGNON	v	COM	792 NE2d 119
GILLIS	v	COM	861 NE2d 422
GIONIE	v	COM	301 NE2d 724
GIVEN	v	COM	796 NE2d 1259
GIVEN	v	COM	808 NE2d 788
GONSALVES	v	COM	883 NE2d 549
HEALEY	v	COM	438 NE2d 811
HEALEY	v	COM	927 P2d 646
HILL	v	COM	427 NE2d 292
HINES	v	COM	866 NE2d 406
HOGAN	v	COM	170 NE2d 327
JARVIS	v	COM	307 NE2d 844
JARVIS	v	COM	863 NE2d 567
KANE	v	KANSAS	7 P3d 285

CASE LAW CONT

KANSAS	v HENDRICK	138 LE2d 501
KENNEDY	v COM	762 NE2d 794
KENNY	v COM	769 NE2d 1231
KINCAID	v COM	828 NE2d 45
KING	v GREENBLATT	53 FSUPP 2117
KING	v GREENBLATT	560 F2d 1024
LAMB	v COM	334 NE2d 28
LAMB	v COM	360 NE2d 307
LANE	v COM	522 NE2d 429
LANE	v COM	540 NE2d 201
LANGILLE	v COM	270 NE2d 99
MAJOR	v COM	241 NE2d 822
MARKVART	v COM	771 NE2d 788
MARTEL	v COM	359 NE2d 57
MCHOUX	v COM	881 NE2d 412
MCHUNE	v LILE	3 F2d 415
MCCLOUD	v COM	880 NE2d 311
MICHAU	v CHARLESTON COUNTY	434 F3d 725
MURRAY	v COM	852 NE2d 66
NEWTON	v COM	259 NE2d 190
OLVER	v COM	387 MASS 198
OWEN	v COM	784 NE2d 660
PAGE	v COM	433 NE2d 466
PERKINS	v HENDRICKS	390 F2d 582
PERRSON	v FAIR	374 NE2d 396
RAMBERT	v COM	539 NE2d 117

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CASE LAW CONT

READY	v COM	824 NE2d 474
REDGATE	v COM	622 NE2d 1368
REDGATE	v COM	633 NE2d 380
RECTOR	v COM	438 NE2d 727
REESE	v COM	781 NE2d 1225
RODRIGUEZ	v COM	382 NE2d 725
SANTEBELLO	v NY	138 LE2d 425
SAFERIAN	v COM	366 MASS 89
SHERIDAN	v COM	665 NE2d 193
SHERIDAN	v COM	665 NE2d 977
STATE	v LAMUNYON	911 F2d 151
SWAIN	v SUPERINTENDENT	556 NE2d 1061
TATE	v COM	465 NE2d 1159
TATE	v COM	629 NE2d 977
TRAVIS	v COM	372 MASS 238
VALCOURT	v COM	133 NE2d 217
WALSH	v COM	378 NE2d 1378
WALSH	v COM	555 NE2d 593
WILLIAMS	v LESIAK	127 F3d 140
WILSON	v COM	407 NE2d 1229
WYATT	v COM	701 NE2d 337

ATTACHMENT 2

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defenadants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF MARCUS DEAMICIS

I, Marcus Deamicis, Do hereby declare and state:

1. I, Marcus Deamicis, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Marcus Deamicis, do hereby declare and state the above facts are true to the best of my personal knowledge.


Marcus Deamicis

30 Administration Rd
Bridgewater MA 02324

Date: 6/16/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

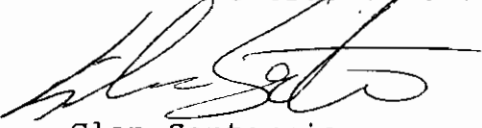
Defendants

AFFIDAVIT OF GLEN SANTARPIO

I, Glen Santarpio, do hereby declare and state:

1. I, Glen Santarpio, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Glen Santarpio, do hereby declare and state the above facts are true to the best of my personal knowledge.


Glen Santarpio

30 Administration Rd

Bridgewater MA 02324

Dated;

6/16/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF RUSSELL THIBODEAU

I, Russell Thibodeau, Do hereby declare and state:

1. I, Russell Thibodeau, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Russell Thibodeau, do hereby declare and state the above facts are true to the best of my personal knowledge.


Russell Thibodeau

30 Administration Rd
Bridgewater MA 02324

Date: 6-14-08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

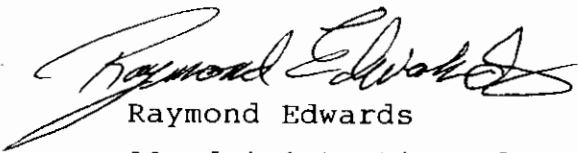
Defendants

AFFIDAVIT OF RAYMOND EDWARDS

I, Raymond Edwards, do hereby declare and state:

1. I, Raymond Edwards, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Raymond Edwards, do hereby declare and state the above facts are true to the best of my personal knowledge.



Raymond Edwards

30 Administration Rd

Bridgewater MA 02324

Dated; 6-14-08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF RICHARD KIELISZEK

I, Richard Kieliszek, Do hereby declare and state:

1. I, Richard Kieliszek, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Richard Kieliszek, do hereby declare and state the above facts are true to the best of my personal knowledge.



Richard Kieliszek
30 Administration Rd
Bridgewater MA 02324

Date:

6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, ET AL.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

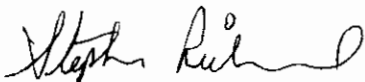
Defendants

AFFIDAVIT OF STEPHEN RICHMOND

I, Stephen Richmond, Do hereby declare and state:

1. I, Stephen Richmond, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Stephen Richmond, do hereby declare and state the above facts are true to the best of my personal knowledge.



Stephen Richmond

30 Administration Rd

Bridgewater MA 02324

Date: 6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF JAMES MCHOUL

I, James mChoul, Do hereby declare and state:

1. I, James mChoul, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, James mChoul, do hereby declare and state the above facts are true to the best of my personal knowledge.

James mChoul

James mChoul

Date: 6-14-08

30 Administration Rd
Bridgewater MA 02324

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF ARON LYONS

I, Aron Lyons, do hereby declare and state:

1. I, Aron Lyons, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Aron Lyons, do hereby declare and state the above facts are true to the best of my personal knowledge.


Aron Lyons

30 Administration Rd
Bridgewater MA 02324

Dated; 6/16/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF PAUL HUTCHINS

I, Paul Hutchins, Do hereby declare and state:

1. I, Paul Hutchins, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Paul Hutchins, do hereby declare and state the above facts are true to the best of my personal knowledge.



Paul Hutchins

30 Administration Rd

Bridgewater MA 02324

Date:

6-17-08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF GERALD TOBIN

I, Gerald Tobin, do hereby declare and state:

1. I, Gerald Tobin, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Gerald Tobin, do hereby declare and state the above facts are true to the best of my personal knowledge.



Gerald Tobin

Dated; 6/14/08

30 Administration Rd
Bridgewater MA 02324

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF KELVIN HOLLEY

I, Kelvin Holley, do hereby declare and state:

1. I, Kelvin Holley, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Kelvin Holley, do hereby declare and state the above facts are true to the best of my personal knowledge.

Kelvin Holley

Kelvin Holley

30 Administration Rd

Bridgewater MA 02324

Date: 6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

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JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF JOHN BRUDER

I, John Bruder, do hereby declare and state:

1. I, John Bruder, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, John Bruder, do hereby declare and state the above facts are true to the best of my personal knowledge.


John Bruder

30 Administration Rd
Bridgewater MA 02324

6/14/08
Dated;

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defenadants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF ERNEST HOSIE

I, Ernest Hosie, Do hereby declare and state:

1. I, Ernest Hosie, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Ernest Hosie, do hereby declare and state the above facts are true to the best of my personal knowledge.

Ernest Hosie

Ernest Hosie

30 Administration Rd

Bridgewater MA 02324

Date: 6-14-08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

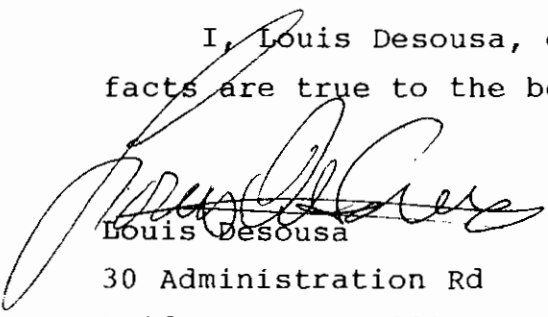
Defendants

AFFIDAVIT OF LOUIS DESOUSA

I, Louis Desousa, do hereby declare and state:

1. I, Louis Desousa, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Louis Desousa, do hereby declare and state the above facts are true to the best of my personal knowledge.


Louis Desousa

30 Administration Rd
Bridgewater MA 02324

Dated:  June 14, 2008

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF RICHARD MOSELEY

I, Richard Moseley, do hereby declare and state:

1. I, Richard Moseley, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Richard Moseley, do hereby declare and state the above facts are true to the best of my personal knowledge.

Richard Moseley

Richard Moseley
30 Administration Rd
Bridgewater MA 02324

Dated; 6-14-08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF GEORGE CUTTER

I, George Cutter, do hereby declare and state:

1. I, George Cutter, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, George Cutter, do hereby declare and state the above facts are true to the best of my personal knowledge.

George Cutter

George Cutter

30 Administration Rd

Bridgewater MA 02324

Dated;

6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,


Defendants

AFFIDAVIT OF GERARD READY

I, Gerard Ready, do hereby declare and state:

1. I, Gerard Ready, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Gerard Ready, do hereby declare and state the above facts are true to the best of my personal knowledge.


Gerard Ready

30 Administration Rd
Bridgewater MA 02324

Dated; 6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF BRIAN HOOKE

I, Brian Hooke, do hereby declare and state:

1. I, Brian Hooke, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Brian Hooke, do hereby declare and state the above facts are true to the best of my personal knowledge.

Brian Hooke

Brian Hooke

30 Administration Rd

Bridgewater MA 02324

Dated; 6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

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JOEL PENTLARGE, and

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ROBERT MURPHY, et al.,

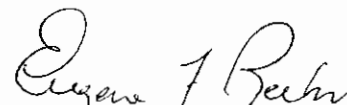
Defendants

AFFIDAVIT OF EUGENE RECTOR

I, Eugene Rector, Do hereby declare and state:

1. I, Eugene Rector, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Eugene Rector, do hereby declare and state the above facts are true to the best of my personal knowledge.


Eugene Rector

30 Administration Rd
Bridgewater MA 02324

Date: 6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,
Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,
Defendants

and

JOEL PENTLARGE, and
EDWARD GIVEN,
Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,
Defendants

AFFIDAVIT OF STEVEN BOUCHER

I, Steven Boucher, do hereby declare and state:

1. I, Steven Boucher, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Steven Boucher, do hereby declare and state the above facts are true to the best of my personal knowledge.



Steven Boucher
30 Administration Rd
Bridgewater MA 02324

Dated; 6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF DENNIS QUINTAL

I, Dennis Quintal, do hereby declare and state:

1. I, Dennis Quintal, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Dennis Quintal, do hereby declare and state the above facts are true to the best of my personal knowledge.


Dennis Quintal

30 Administration Rd
Bridgewater MA 02324

Dated; 6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF RICHARD RICHLIN

I, Richard Richlin, do hereby declare and state:

1. I, Richard Richlin, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Richard Richlin, do hereby declare and state the above facts are true to the best of my personal knowledge.


Richard Richlin

30 Administration Rd
Bridgewater MA 02324

Dated; 6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF EDWARD NADEAU

I, Edward Nadeau, do hereby declare and state:

1. I, Edward Nadeau, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Edward Nadeau, do hereby declare and state the above facts are true to the best of my personal knowledge.


Edward Nadeau

30 Administration Rd
Bridgewater MA 02324

Date: 6-14-08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defenadants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF ERNEST Macloon

I, Ernest Macloon, Do hereby declare and state:

1. I, Ernest Macloon, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Ernest Macloon, do hereby declare and state the above facts are true to the best of my personal knowledge.



Ernest Macloon
30 Administration Rd
Bridgewater MA 02324

Date: 6-14-08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

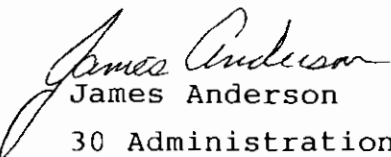
Defendants

AFFIDAVIT OF JAMES ANDERSON

I, James Anderson, do hereby declare and state:

1. I, James Anderson, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, James Anderson, do hereby declare and state the above facts are true to the best of my personal knowledge.


James Anderson

30 Administration Rd
Bridgewater MA 02324

Dated; 6-19-08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

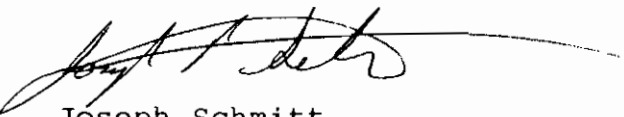
Defendants

AFFIDAVIT OF JOSEPH SCHMITT

I, Joseph Schmitt, do hereby declare and state:

1. I, Joseph Schmitt, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Joseph Schmitt, do hereby declare and state the above facts are true to the best of my personal knowledge.



Joseph Schmitt

30 Administration Rd

Bridgewater MA 02324

Dated; 6.16.2008

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF JOSEPH MOORE

I, Joseph Moore, do hereby declare and state:

1. I, Joseph Moore, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Joseph Moore, do hereby declare and state the above facts are true to the best of my personal knowledge.



Joseph Moore

30 Administration Rd

Bridgewater MA 02324

Dated; 6/16/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,
Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,
Defendants

and

JOEL PENTLARGE, and
EDWARD GIVEN,
Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,
Defendants

AFFIDAVIT OF GARY ALVARADO

I, Gary Alvarado, do hereby declare and state:

1. I, Gary Alvarado, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Gary Alvarado, do hereby declare and state the above facts are true to the best of my personal knowledge.

Gary Alvarado

Gary Alvarado
30 Administration Rd
Bridgewater MA 02324

Dated;
6/16/2008

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF BRUCE HATT

I, Bruce Hatt, do hereby declare and state:

1. I, Bruce Hatt, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Bruce Hatt, do hereby declare and state the above facts are true to the best of my personal knowledge.

Bruce Hatt
Bruce Hatt

30 Administration Rd
Bridgewater MA 02324

Dated; 6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF JOSE PAGAN

I, Jose Pagan, Do hereby declare and state:

1. I, Jose Pagan, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Jose Pagan, do hereby declare and state the above facts are true to the best of my personal knowledge.

Jose Pagan *Jose Pagan*
30 Administration Rd
Bridgewater MA 02324

Date: *6/16/08*

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF WILLIAM BROUILLARD

I, William Brouillard, do hereby declare and state:

1. I, William Brouillard, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, William Brouillard, do hereby declare and state the above facts are true to the best of my personal knowledge.

William J. Brouillard

William Brouillard
30 Administration Rd
Bridgewater MA 02324

Dated: June 14, 2008

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,
Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,
Defendants

and

JOEL PENTLARGE, and
EDWARD GIVEN,
Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,
Defendants

AFFIDAVIT OF MICHAEL COTE

I, Michael Cote, do hereby declare and state:

1. I, Michael Cote, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Michael Cote, do hereby declare and state the above facts are true to the best of my personal knowledge.



Michael Cote
30 Administration Rd
Bridgewater MA 02324

Dated; 6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

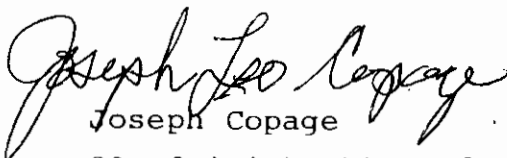
Defendants

AFFIDAVIT OF JOSEPH COPAGE

I, Joseph Copage, do hereby declare and state:

1. I, Joseph Copage, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Joseph Copage, do hereby declare and state the above facts are true to the best of my personal knowledge.



Joseph Copage
30 Administration Rd
Bridgewater MA 02324

Dated; 6/14/08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,
Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,
Defendants

and

JOEL PENTLARGE, and
EDWARD GIVEN,
Plaintiffs

v

Docket #04-30177NG

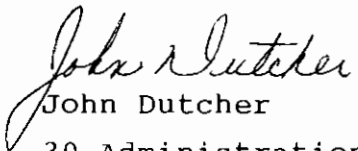
ROBERT MURPHY, et al.,
Defendants

AFFIDAVIT OF JOHN DUTCHER

I, John Dutcher, do hereby declare and state:

1. I, John Dutcher, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, John Dutcher, do hereby declare and state the above facts are true to the best of my personal knowledge.


John Dutcher
30 Administration Rd
Bridgewater MA 02324

Dated; 6-14-08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defendants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF EDWARD PIERCE

I, Edward Pierce, do hereby declare and state:

1. I, Edward Pierce, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Edward Pierce, do hereby declare and state the above facts are true to the best of my personal knowledge.

Edward Pierce

Edward Pierce
30 Administration Rd
Bridgewater MA 02324

Dated;

6-16-08

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defenadants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF STEVEN REED

I, Steven Reed, Do hereby declare and state:

1. I, Steven Reed, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Steven Reed, do hereby declare and state the above facts are true to the best of my personal knowledge.



Steven Reed

Date: 6-14-08

30 Administration Rd
Bridgewater MA 02324

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFERY HEALEY,

Plaintiff

v

Docket #01-11099NG

ROBERT MURPHY, et al.,

Defenadants

and

JOEL PENTLARGE, and

EDWARD GIVEN,

Plaintiffs

v

Docket #04-30177NG

ROBERT MURPHY, et al.,

Defendants

AFFIDAVIT OF CARLIN SEWARD

I, Carlin Seward, Do hereby declare and state:

1. I, Carlin Seward, am incarcerated at the Nemasket Correctional Center and a resident of the housing unit B-2.
2. That on the morning of May 14, 2008 Department of Correction (DOC) staff entered B-2 housing unit for the purpose of a property inventory and shake-down for contraband.
3. That during this shake-down the DOC staff removed all equipment (1 Panasonic memory typewriter, 1 Brother typewriter, 2 desks, 1 footlocker & 1 file cabinet) along with a substantial amount of research and reference material from the resource room.

I, Carlin Seward, do hereby declare and state the above facts are true to the best of my personal knowledge.



Carlin Seward

30 Administration Rd

Bridgewater MA 02324

Date: 6-16-08

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JEFFREY HEALEY,
Plaintiff,

CIVIL ACTION NO. 01-11099-NG

v.

ROBERT MURPHY, *et al.*,
Defendants.

and

JOEL PENTLARGE,
Plaintiff,

CIVIL ACTION NO. 04-30177-PBS

v.

ROBERT MURPHY, *et al.*,
Defendants.

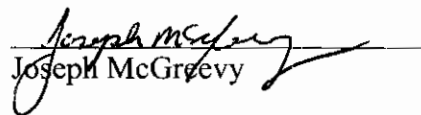
AFFIDAVIT OF JOSEPH MCGREEVY

I, Joseph McGreevy, being duly sworn, do hereby depose and state as follows:

1. I am employed by the Massachusetts Department of Correction. I currently hold the rank of Correction Officer I. Since March, 2008, I have been assigned as the Property Officer at the Massachusetts Treatment Center ("Treatment Center"). I have personal knowledge of the facts set forth herein.
2. Edward Given ("Given") has not submitted to me a written request to gain access to any stored legal material. Further, I have reviewed the Property Room's folder relating to Given and have located no written requests to gain access to any stored legal material submitted by Given prior to my tenure as Property Officer.

3. According to the Property Room's records, Given has not submitted a request to purchase a typewriter.

Signed under the penalties of perjury this 5th day of June, 2008.


Joseph McGreevy

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**JEFFREY HEALEY,
Plaintiff,**

CIVIL ACTION NO. 01-11099-NG

v.

**ROBERT MURPHY, *et al.*,
Defendants.**

and

**JOEL PENTLARGE,
Plaintiff,**

CIVIL ACTION NO. 04-30177-PBS

v.

**ROBERT MURPHY, *et al.*,
Defendants.**

AFFIDAVIT OF SHEILA SMITH

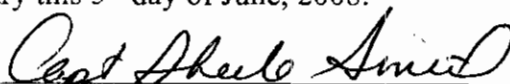
I, Sheila Smith, being duly sworn, do hereby depose and state as follows:

1. I am employed by the Massachusetts Department of Correction. I currently hold the rank of Captain and am based at the Massachusetts Treatment Center ("Treatment Center"). Currently, I am assigned as the Administrative Captain at the Treatment Center. I have personal knowledge of the facts stated herein.
2. Under the applicable property regulations, civilly committed sexually dangerous persons ("SDP's") may retain a maximum of one cubic foot of legal materials in their assigned living quarters. If a SDP wishes to retain excess legal material, he may request to store that material. At present, excess legal material is stored in the Property Room. A SDP who wishes to pick up or exchange legal material is required to forward a written request to the property officer, identifying the material requested

from storage. Once the SDP makes such a written request, the identified legal materials will be available to the SDP within two working days.

3. I am aware that civilly committed SDP Edward Given has filed a motion asking that the Court order Superintendent Robert Murphy to replace the unit memory typewriter. There is no unit memory typewriter. Approximately ten years ago, the Department of Correction provided a typewriter for use in certain Resource Rooms located on the housing units. This practice was discontinued because residents vandalized the typewriters and stole parts.
4. In or about February of this year, I conducted an investigation into Given's possession of a particular typewriter. A written summary of my investigation (without attachments) is annexed to this affidavit. The facts contained in that summary are true. The names of the other residents have been redacted to protect their privacy.
5. Providing Given with a storage locker to be stored in the Resource Room on his housing unit has the potential to cause disruption to the Treatment Center's climate and operation. SDP's are not permitted to retain property in the Resource Room. Providing Given with this opportunity that is not allowed to other residents may cause jealousy among other SDP's. Further, even with a lock, other SDP's may attempt to damage a second storage locker that is located in a Resource Room to which other SDP's have access.

Signed under the pains and penalties of perjury this 5th day of June, 2008.


Sheila Smith, Captain

CERTIFICATE OF SERVICE

I, Edward Given, do hereby certify that I served a true copy of this motion for storage, Memorandum in Support of, Affidavits and Attachments on Defense Counsel via intrafacility mail on this date; 7-10-08

Edward Given
EDWARD GIVEN, pro se